



**BOXBOROUGH PLANNING BOARD**  
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Nancy Fillmore, Chairman   Eduardo Pontoriero, Clerk   Owen Neville   John Markiewicz   James Faulkner

**Meeting Minutes**  
**February 25, 2013**

Members present:

Nancy Fillmore, Chair  
John Markiewicz, Member  
Owen Neville, Member  
James Faulkner, Member  
Elizabeth Hughes, Town Planner

The meeting was called to order at 7:31 p.m.

**Planning Board Meeting Minutes**

On a motion by Ms. Fillmore and seconded by Mr. Neville, the Board voted unanimously to approve the minutes of February 4, 2013 as amended.

**Planning Board Associate Member Discussion**

The Board had a discussion regarding whether to move forward with appointing an Associate Member since only one letter of interest was submitted. Mr. Neville believes that the language in the Bylaw regarding the appointment of an Associate Members says you shall appoint a member. It was his opinion that the Board advertised for an Associate Member, a letter of interest was submitted and we should move forward with a joint interview of the candidate with the Selectmen. Mr. Markiewicz felt that the Board should wait until after the election in three months and did not see a benefit to appointing someone for such a short period of time. Ms. Hughes pointed out that the Planning Board Associate Member Bylaw does not require that the Board have an Associate Member, but if one is appointed to fill a vacancy it shall be done in the same manner as the original appointment.

The Board had a general discussion regarding the level of participation of the Associate Member. Mr. Neville commented that the Bylaw states the Associate Member may only sit on the Board for the purpose of acting on a special permit application and they should not be sitting at the table with the elected members or participating unless the Chair has designated them to act on a special permit. He did not think this was appropriate and was misleading to the public to have them think there were six Board members. Other Board members thought there was some benefit to have the Associate Member participate as the last two Associate members did, which eventually had them moving to being a full member. Ms. Hughes suggested that the Board could schedule this policy question for another meeting and asked whether there was a consensus on whether to move forward with interviewing the one candidate, defer appointing the candidate at this time or to decide not to have an Associate Member.

Ms. Fillmore moved to defer appointing an Associate Member until after the election. Mr. Markiewicz seconded the motion. Ms. Fillmore, Mr. Markiewicz and Mr. Faulkner voted to defer appointment and Mr. Neville opposed.

### **Route 111 Trail Phase II Schematic Designs**

William Murray and Matthew Allison with Places Site Consultants gave a presentation on the updated schematic designs for the trail. The Board asked about providing handicapped access ramp at the Library driveway and the removal of existing trees. Mr. Murray stated that a ramp could be added and that the plan showed the removal of trees greater than 6" if the proposed grading would impact more than two-thirds of the root system. He noted that additional landscaping could be proposed later in the project to replace the removed trees. The Board came to a consensus to have a site visit in the spring to look at the trees to be removed, but there was a consensus to remove trees that may impact the longevity of the integrity of the sidewalk.

The Board discussed the proposed drainage and the issues associated with the flat pitch of Route 111. Mr. Murray explained the reasons why a detention basin was needed in the proposed location and that an easement would be required from the property owner. Ms. Hughes questioned the timing for the granting of the easement before initiating the MassDOT process to make the permitting easier. Mr. Murray agreed.

The Board discussed the next steps for moving forward. Ms. Hughes suggested that she and the consulting engineers meet with MassDOT District 3 engineers at this time to get their initial feedback before having the preliminary plans finalized. Mr. Murray and the Board agreed.

### **2013 Annual Town Meeting Zoning Bylaw Amendment Public Hearing**

At 8:57pm, the Chair opened the public hearing on the Accessory Apartment Bylaw and Town Center Bylaw amendment. The Chair noted that there was no one in the audience.


The Board reviewed the draft warrant article for the accessory apartment. The Board discussed the Building Inspector's proposed addition of item #11 and #12. Mr. Neville did not think the Town should be in the position of being the family police. Additionally, he felt that if the improvements are allowed, then they should be allowed to continue regardless of who owns the property. Mr. Faulkner agreed and did not think a property owner should have to get a Certificate every three years. Mr. Markiewicz did not think an accessory apartment should automatically continue and that making sure family was in the unit with a renewal every three years was a good idea. He thought that without those requirements the town was putting neighbor against neighbor in policing the bylaw requirements.

Mr. Neville moved to recommend the draft accessory apartment bylaw amendment with the removal of item #11 and #12. The motion was seconded by Ms. Fillmore with 3 in favor and Mr. Markiewicz opposed.

The Board reviewed the draft warrant article for the Town Center Elderly Duplex bylaw amendment. Mr. Neville moved to recommend the draft bylaw amendment as written. Mr. Faulkner seconded the motion with all voting in favor.

The Board deferred discussion on the remaining items and adjourned the meeting at 9:20 pm on a motion by Mr. Neville, seconded by Mr. Faulkner with all voting in favor.

On Behalf of the Boxborough Planning Board



Eduardo Pontoriero, Clerk